THE HON'BLE SRI JUSTICE V.V.S.RAO

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WRIT PETITION No.13762 of 2005

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Dated:27.03.2006

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Between:

M/s.Ramcharan Textile Mills.

…Petitioner

And

The Assistant Commissioner, Regional Provident Fund Organisation, Hyderabad, and another.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

-

WRIT PETITION No.13762 of 2005

ORDER:

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The petitioner is a Proprietary Concern. Aggrieved by the notice of demand, dated 30/31.05.2005, whereby and whereunder, the second respondent required the petitioner to pay an amount of Rs.56,753/- towards damages under Section 14B of

the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (for short 'the Act') and further required the petitioner to pay a sum of Rs.18,546/- under Section 7Q of the Act, the present Writ Petition is filed. The impugned order is assailed on the ground that the same was not preceded by a show cause notice. Reliance is placed on the judgment of the Division Bench in **Francis (K.J.) (proprietor, Francis Tile Works, Trichur) v. Regional Provident Fund Commissioner**.

However, after verifying the records produced before this Court, learned Counsel for the petitioner seeks permission to file an appeal under Section 7-I of the Act before the appellate Tribunal. Liberty is given to the petitioner, leaving open all questions to be decided by the learned Tribunal.

The Writ Petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

27.03.2006

vs